

SB3253



104TH GENERAL ASSEMBLY

State of Illinois

2025 and 2026

SB3253

Introduced 2/3/2026, by Sen. Javier L. Cervantes

SYNOPSIS AS INTRODUCED:

10 ILCS 5/7-41

from Ch. 46, par. 7-41

Amends the Election Code. Provides that the campaign free zone at any polling place located within any forest preserve district or conservation district shall extend 100 horizontal feet from each entrance to the room used by voters to engage in voting and shall also extend 500 horizontal feet from each entrance to the room used by voters to engage in voting to the boundaries of the district.

LRB104 20407 SPS 33869 b

A BILL FOR

1 AN ACT concerning elections.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Election Code is amended by changing
5 Section 7-41 as follows:

6 (10 ILCS 5/7-41) (from Ch. 46, par. 7-41)

7 Sec. 7-41. (a) All officers upon whom is imposed by law the
8 duty of designating and providing polling places for general
9 elections, shall provide in each such polling place so
10 designated and provided, a sufficient number of booths for
11 such primary election, which booths shall be provided with
12 shelves, such supplies and pencils as will enable the voter to
13 prepare his ballot for voting and in which voters may prepare
14 their ballots screened from all observation as to the manner
15 in which they do so. Such booths shall be within plain view of
16 the election officers and both they and the ballot boxes shall
17 be within plain view of those within the proximity of the
18 voting booths. No person other than election officers and the
19 challengers allowed by law and those admitted for the purpose
20 of voting, as hereinafter provided, shall be permitted within
21 the proximity of the voting booths, except by authority of the
22 primary officers to keep order and enforce the law.

23 (b) The number of such voting booths shall not be less than

1 one to every seventy-five voters or fraction thereof, who
2 voted at the last preceding election in the precinct or
3 election district.

4 (c) No person shall do any electioneering or soliciting of
5 votes on primary day within any polling place or within one
6 hundred feet of any polling place, or, at the option of a
7 church or private school, on any of the property of that church
8 or private school that is a polling place. Election officers
9 shall place 2 or more cones, small United States national
10 flags, or some other marker a distance of 100 horizontal feet
11 from each entrance to the room used by voters to engage in
12 voting, which shall be known as the polling room. If the
13 polling room is located within a building that is a private
14 business, a public or private school, or a church or other
15 organization founded for the purpose of religious worship and
16 the distance of 100 horizontal feet ends within the interior
17 of the building, then the markers shall be placed outside of
18 the building at each entrance used by voters to enter that
19 building on the grounds adjacent to the thoroughfare or
20 walkway. If the polling room is located within a public or
21 private building with 2 or more floors and the polling room is
22 located on the ground floor, then the markers shall be placed
23 100 horizontal feet from each entrance to the polling room
24 used by voters to engage in voting. If the polling room is
25 located in a public or private building with 2 or more floors
26 and the polling room is located on a floor above or below the

1 ground floor, then the markers shall be placed a distance of
2 100 feet from the nearest elevator or staircase used by voters
3 on the ground floor to access the floor where the polling room
4 is located. The area within where the markers are placed shall
5 be known as a campaign free zone, and electioneering is
6 prohibited pursuant to this subsection. Notwithstanding any
7 other provision of this Section, a church or private school
8 may choose to apply the campaign free zone to its entire
9 property, and, if so, the markers shall be placed near the
10 boundaries on the grounds adjacent to the thoroughfares or
11 walkways leading to the entrances used by the voters. At or
12 near the door of each polling place, the election judges shall
13 place signage indicating the proper entrance to the polling
14 place. In addition, the election judges shall ensure that a
15 sign identifying the location of the polling place is placed
16 on a nearby public roadway. Notwithstanding any other
17 provision of this Section, the campaign free zone at any
18 polling place located within any forest preserve district or
19 conservation district shall extend 100 horizontal feet from
20 each entrance to the room used by voters to engage in voting
21 and shall also extend 500 horizontal feet from each entrance
22 to the room used by voters to engage in voting to the
23 boundaries of the district, except that the campaign free zone
24 shall not include any private property located within the
25 boundaries of the forest preserve district or conservation
26 district. The State Board of Elections shall establish

1 guidelines for the placement of polling place signage.

2 The area on polling place property beyond the campaign
3 free zone, whether publicly or privately owned, is a public
4 forum for the time that the polls are open on an election day.
5 At the request of election officers any publicly owned
6 building must be made available for use as a polling place. A
7 person shall have the right to congregate and engage in
8 electioneering on any polling place property while the polls
9 are open beyond the campaign free zone, including but not
10 limited to, the placement of temporary signs. This subsection
11 shall be construed liberally in favor of persons engaging in
12 electioneering on all polling place property beyond the
13 campaign free zone for the time that the polls are open on an
14 election day.

15 (d) The regulation of electioneering on polling place
16 property on an election day, including but not limited to the
17 placement of temporary signs, is an exclusive power and
18 function of the State. A home rule unit may not regulate
19 electioneering and any ordinance or local law contrary to
20 subsection (c) is declared void. This is a denial and
21 limitation of home rule powers and functions under subsection
22 (h) of Section 6 of Article VII of the Illinois Constitution.

23 (Source: P.A. 95-699, eff. 11-9-07.)